

CERTIFICATE OF EFS FILING UNDER 37 CFR § 1.8  
I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on March 2, 2009:

Name: Sheryl L. Hutchings

Signature: Sheryl L. Hutchings

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Stephen F. Smith et al.

Appln. No.: 10/750,432

Filed: December 31, 2003

For: HYBRID SPREAD  
SPECTRUM RADIO  
SYSTEM

Attorney Docket No: 13489/056

Examiner: Burd, Kevin Michael

Art Unit: 2611

Confirmation No.: 1772

**INFORMATION DISCLOSURE STATEMENT  
ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION**

MAIL STOP RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

In accordance with the duty of disclosure under 37 CFR §1.56 and §§1.97-1.98, and more particularly in accordance with 37 CFR §1.97(b), Applicants hereby cite the following reference(s):

U.S. PATENT DOCUMENTS		
DOCUMENT NO.	DATE	NAME
5,625,641	04-29-1997	Takakusaki

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 CFR §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

**Commonly Owned Applications**

Pursuant to 37 CFR §1.56, Applicant and Applicant's attorney hereby make of record in the above-identified patent application the existence of the below described activities in the below-identified commonly owned co-pending published patent application, some of which are related to the above-identified patent application.

Applicant respectfully requests the Examiner to review the claims and the prosecution history, including any Office Actions issued by the U.S. Patent and Trademark Office, for the following presented cited applications, since the specifications, and, possibly the claims, of the following applications may include common or significantly related subject matter. In particular, the Examiner is respectfully requested to carefully review the identified prosecution history of the following presently cited application:

U.S. Patent Publication No. US-2008-0019422-A1 – U.S. Patent Application Serial No. 11/648,021 – Office Action mailed June 4, 2007, Response filed August 27, 2007; Office Action mailed September 12, 2007, Response filed December 12, 2007; Office Action mailed March 5, 2008, Request for Continued Examination and Response filed September 5, 2008; Office Action mailed September 26, 2008, Request for Continued Examination and Response filed February 26, 2009.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 CFR §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 CFR §1.56(a).

The Applicant or Applicants have calculated no fee to be due in connection with the filing of this Information Disclosure Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Information Disclosure

Statement to a deposit account, as authorized in the Transmittal accompanying this Information Disclosure Statement.

Respectfully submitted,

March 3, 2009  
Date

Karl F. Horlander  
Karl F. Horlander  
(Reg. No. 63,147)